

**REMARKS**

The final Office Action mailed October 22, 2007 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 19 and 21-38 are now pending in this application. Claims 19-23 stand rejected. Claim 20 has been canceled. Claims 24-38 are withdrawn from consideration.

Applicant and the undersigned wish to express their appreciation to the Examiner for the courtesies he extended during a telephone interview with Eric T. Krischke that occurred on October 10, 2007. During the interview, the Examiner described potential “new matter” issues to the undersigned. No agreement was reached regarding the alleged new matter issues.

Applicant notes the objection to the specification at paragraph [0002]. The specification was amended at paragraph [0002] in the Amendment dated February 3, 2006. Applicant respectfully submits that the previous amendment overcomes the present objection to the specification and notification to that effect is respectfully solicited.

Applicant notes the objection to the drawings under 37 CFR 1.83(a) for failing to show every feature of the invention specified in the claims. Applicant submits that the foregoing amendment and the following remarks overcome the objection to the drawings and notification to that effect is respectfully solicited.

The rejection of Claims 19, and 21-23 under 35 U.S.C. § 112, first paragraph, is respectfully traversed.

The Examiner alleges that the claims contain subject matter which is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. More specifically, the Examiner alleges that “[n]o basis, in the originally filed specification, is seen for a second fastener releasably fastening the perimeter to the enclosure bag, set forth in lines 11, 12 of claim 19.”

Claim 19 has been amended to recite a sleeping structure including "...; and a second fastener releasably fastening said perimeter to said sleeping bag."

Support for such amendment is found through Applicant's specification and Figures 1-3E. For example, referring to originally filed Figures 3A-3C, the air mattress 14 is removable from an enclosure bag 56. In this case, the enclosure bag 56 may be permanently attached to the sleeping bag 12, and the second zipper 42 opens an enclosure mouth 60 to allow the air mattress 14 to be inserted. The second zipper 42 is then resealed. It is also possible that the sleeping bag top layer 20 and bottom layer 22 are detachable from the enclosure bag 56, in order to allow it to be washed or removed for weight considerations. See paragraph [0025] of Applicant's specification. Further, as described in reference to Figures 1 and 2, the second zipper 42 may also couple peripheral extension 16 or flange 17 of the air mattress 14 to the sleeping bag 12. More specifically, as set forth at paragraph [0020] of Applicant's specification, the peripheral extension 16 or flange 17 includes a third attachment site 44 for the lower portion 41 of the second fastener 40 (second zipper 42). The upper portion 39 and lower portion 41 of the second fastener 40 thus attach the bottom layer 22 opening edge 28 to the flange 17 of the air mattress 14.

Applicant submits that the above amendment and remarks overcome the rejection of Claims 19, and 21-23. Accordingly, Applicant respectfully requests that the Section 112, first paragraph, rejection of Claims 19, and 21-23 be withdrawn.

The rejection of Claims 19, and 21-23 under 35 U.S.C. § 112, second paragraph, is respectfully traversed.

The Examiner alleges that the claims are indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. More specifically, the Examiner alleges that "[i]t is simply not clear what exactly are the various elements of the claims."

Applicant submits that each element of independent Claim 19 is sufficiently described in Applicant's specification and/or shown in Figures 1-3E. In an attempt to expedite prosecution of the subject patent application, Applicant identifies each and every element of Claim 19 with reference numerals, as suggested by the Examiner.

Claim 19 recites a sleeping structure including a sleeping bag (12) including a top layer (20) having a top layer opening edge (24) and a top layer sealed edge (26); and a bottom layer (22) having a bottom layer opening edge (28) and a bottom layer sealed edge (30). A first fastener (34) releasably fastens the top layer opening edge and the bottom layer opening edge at a first attachment site (37). An enclosure bag (56) is coupled to the bottom layer and defines a mouth (60). An air mattress (14) having a perimeter (15) and including an inflatable portion (18) is removably inserted into the mouth. A second fastener (42) releasably fastens the perimeter to the sleeping bag.

Applicant submits that the above amendment and remarks overcome the rejection of Claims 19, and 21-23. Accordingly, Applicant respectfully requests that the Section 112, second paragraph, rejection of Claims 19, and 21-23 be withdrawn.

In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,

  
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